

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
July 2007)	WCB/Pricing File No. 07-10
Annual Access Charge Tariff Filings)	

Order

Adopted: March 29, 2007

Released: March 29, 2007

By the Acting Chief, Pricing Policy Division:

SHORT FORM TRP: May 1, 2007
COMMENTS: May 16, 2007
REPLIES: May 23, 2007

15-DAY TARIFF FILINGS: June 15, 2007
EFFECTIVE: June 30, 2007
PETITIONS: June 22, 2007
REPLIES: June 26, 2007

7-DAY TARIFF FILINGS: June 25, 2007
EFFECTIVE: July 2, 2007
PETITIONS: June 27, 2007 (due no later than 12:00 p.m. (noon) Eastern Time)
REPLIES: June 28, 2007 (due no later than 12:00 p.m. (noon) Eastern Time)

I. INTRODUCTION

1. This order establishes procedures for the 2007 filing of annual access charge tariffs and Tariff Review Plans (TRPs) for incumbent local exchange carriers (ILECs) subject to price caps. This order: (1) sets a modified effective date of June 30, 2007 for the July 2007 annual tariff filings made on 15 days' notice and July 2, 2007 for the July 2007 annual tariff filings made on seven days' notice; (2) establishes the dates on which the tariff filings must be filed; (3) establishes the dates and times for filing petitions to suspend or reject the ILEC tariff filings and replies to any such petitions; and (4) addresses service of the petitions and replies. It also sets the date that price cap carriers must file the short form TRP.¹ Even though the annual filings this year could have different filing and effective dates, depending on whether they are made on 15 days' or seven days' notice, all correspondence and comments in connection with these filings should refer to the caption of this proceeding, July 2007 Annual Access

¹ The price cap ILECs that must file a short form TRP on May 1, 2007, are The Ameritech Operating Companies; BellSouth Telecommunications, Inc.; CenturyTel Operating Companies; Cincinnati Bell Telephone; Citizens Telecommunications Companies; Embarq Local Telephone Companies; Frontier Communications of Minnesota and Iowa; Frontier Communications of Rochester; Hawaiian Telecom, Inc.; Iowa Telecommunications Services, Inc.; Micronesian Telecommunications, Corp.; Nevada Bell Telephone Company; Pacific Bell Telephone Company; Qwest Corporation; Southern New England Telephone; Southwestern Bell Telephone; Valor Telecommunications Enterprises, LLC; The Verizon Telephone Companies and Windstream Telephone System.

Charge Tariff Filings, WCB/Pricing File No. 07-10.

II. DISCUSSION

A. Tariff Effective Date and Tariff Filing Dates

2. ILECs are permitted to make their tariff filings on either 15 or seven days prior to the effective date of their tariffs, depending on the type of changes the tariffs propose.² The Commission's rules require that annual access tariff filings must be filed with a scheduled effective date of July 1.³ ILECs wishing to file tariffs on 15 or seven days' notice therefore must make their annual tariff filings on Saturday, June 16, 2006 or Sunday, June 24, 2007, respectively, in order for them to take effect July 1, 2007. Because the Commission is closed on Saturdays and Sundays, and July 1 falls on a Sunday this year, it is necessary to modify the usual July 1 tariff effective date for these tariffs. Accordingly, the effective date for ILEC annual access tariffs filed on 15 days' notice is modified to be June 30, 2007 and those filed on seven days notice is modified to be July 2, 2007. ILECs must make these tariff filings on June 15 and June 25, 2007, respectively.⁴

3. ILECs that file tariffs under the price cap ratemaking methodology are required to file revised annual access tariffs every year.⁵ ILECs that file tariffs under the rate-of-return ratemaking methodology are required to file every other year. In addition, ILECs filing pursuant to the requirements of section 61.38 of the Commission's rules are required to file in even-numbered years.⁶ Those filing pursuant to section 61.39 of the Commission's rules are required to file in odd-numbered years and are not required to submit supporting material with the revised tariff.⁷ Because 2007 is an odd-numbered year, only the price cap ILECs and the ILECs filing pursuant to section 61.39 are required to file revised access tariffs this year. Any rate-of-return ILEC subject to section 61.38 may elect to make a voluntary tariff filing at this time.

B. Tariff Review Plan Filing Dates

4. Price cap ILECs are required to submit both a short form TRP and a long-form TRP. Section 61.49(k) of the Commission's rules requires price cap carriers to file a short form TRP without rate detail information 90 days prior to the usual effective date of July 1.⁸ For this year's filing, we waive the 90 day requirement and permit the short form TRP to be filed on May 1, 2007.⁹ We will issue a separate order that will provide the details of the price cap short form and regular TRPs. Comments on the short form TRP will be due on May 16, 2007. Reply comments will be due May 23, 2007.

C. Tariff and Tariff Review Plan Filing Instructions

² 47 U.S.C. §204(a)(3).

³ 47 C.F.R. § 69.3(a).

⁴ We waive any inconsistent portions of section 69.3(a) of the Commission's rules. 47 C.F.R. § 69.3(a).

⁵ 47 C.F.R. § 61.43.

⁶ 47 C.F.R. § 61.38; *see also* 47 C.F.R. § 69.3(f)(1).

⁷ 47 C.F.R. § 61.39; *see also* 47 C.F.R. §§ 61.39, 69.3(f)(2).

⁸ 47 C.F.R. § 61.49(k).

⁹ *See* 47 C.F.R. § 61.49(k).

5. ILECs must use the Commission's Electronic Tariff Filing System (ETFS) to file all of their tariff material.¹⁰ ILECs should make every effort to file as early in the day as possible to avoid any complications in meeting the May 1, 2007, June 15, 2007, and June 25, 2007, pre-7:00 pm deadlines for filing with the ETFS. Price cap ILEC short form TRP filings must be received by ETFS after 7:00 pm Eastern Time on April 30, 2007 and before 7:00 pm Eastern Time on May 1, 2007 for the filing to be considered officially received on May 1, 2007. ILEC tariff filings must be received by ETFS after 7:00 pm Eastern Time on June 14, 2007 and before 7:00 pm Eastern Time on June 15, 2007 for the filing to be considered officially received on June 15, 2007. ILEC tariff filings must be received by ETFS after 7:00 pm Eastern Time on June 22, 2007 and before 7:00 pm Eastern Time on June 25, 2007 for the filing to be considered officially received on June 25, 2007.

6. Copies of the information filed electronically may be obtained via the Internet using the ETFS at <http://svartifoss2.fcc.gov/prod/ccb/etfs/>,¹¹ or from Best Copy and Printing, Inc., (202) 488-5300 or 1-800-378-3160, Portals II, at 445 12th Street, SW, Room CY-B402, Washington, DC 20554. For more information on any of the cost support, contact Raj Kannan at (202) 418-1540, Pricing Policy Division, Wireline Competition Bureau.

D. Pleading Filing Dates and Procedures

7. In accordance with the tariff filing schedule, petitions to suspend or reject tariff filings made on 15 days' notice will be due June 22, 2007 and replies will be due June 26, 2007. Petitions to suspend or reject tariff filings made on seven days' notice will be due by 12:00 p.m. (noon) Eastern Time on June 27, 2007, and reply comments will be due no later than 12:00 p.m. (noon) Eastern Time on June 28, 2007.¹²

8. Parties filing pleadings are encouraged to use ETFS in order to facilitate access to these documents. Comments and reply comments should reference **WCB/File No. Pricing 07-10**. Parties filing paper copies must file an original and four (4) copies of each filing.

9. Paper filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail and the Commission advises that electronic media NOT be sent through the U.S. Postal Service).

10. All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC.

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

¹⁰ 47 C.F.R. § 61.13(b).

¹¹ Users may also use the alternate site for accessing ETFS at <http://gullfoss2.fcc.gov/prod/ccb/etfs/>.

¹² We waive any inconsistent portions of sections 1.4(f) and 1.773(b) of the Commission's rules.

- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington DC 20554.

11. Three (3) paper copies and one e-mail copy of the comments and reply comments should also be sent to Raj Kannan, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, SW, Room 5-A221, Washington, DC 20554, <raj.kannan@fcc.gov>. A courtesy copy should be addressed to Acting Chief, Pricing Policy Division, Wireline Competition Bureau, 445 12th Street, SW, Room 5-A225, Washington, DC 20554 and e-mailed to pamela.arluk@fcc.gov. Parties shall also serve one copy with Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, (202) 488-5300, or via e-mail to FCC@BCPIWEB.COM.

E. SERVICE

12. Because there is limited time available for review of the petitions and replies, we establish the following service requirements for these filings. On the date one of these filings is submitted to the Commission, it shall be served upon the filing local exchange carrier or the petitioner, respectively, or its attorney or other duly constituted agent, by personal delivery or by facsimile transmission.¹³ Parties are instructed to provide contact persons and facsimile numbers in their filings. Parties filing petitions and replies electronically are reminded they are still required to serve copies in accordance with the requirements stated in this paragraph.

III. ORDERING CLAUSES

13. Accordingly, IT IS ORDERED that, pursuant to sections 1, 4 (i) and (j), 201-209, of the Communications Act, as amended, 47 U.S.C. §§ 151, 154(i) and (j), 201-209, and pursuant to authority delegated in sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291, this order is HEREBY ADOPTED as described above.

14. IT IS FURTHER ORDERED that, pursuant to section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, section 61.49(k) of the Commission's rules, 47 C.F.R. § 61.49(k), IS WAIVED for the purpose specified in paragraph 4 *supra*.

15. IT IS FURTHER ORDERED that, pursuant to section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, sections 1.4(f) and 1.773(b) of the Commission's rules, 47 C.F.R. §§ 1.4(f), 1.773(b) ARE WAIVED for the purpose specified in paragraph 7 *supra*.

16. IT IS FURTHER ORDERED that, pursuant to section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, section 1.47(d) of the Commission's rules, 47 C.F.R. § 1.47(d), IS WAIVED for the purpose specified in paragraph 12 *supra*.

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¹³ 47 C.F.R. §§ 1.773(a)(4) and (b)(3). We waive any inconsistent portions of section 1.47(d) of the Commission's rules. 47 C.F.R. § 1.47(d).

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Acting Chief, Pricing Policy Division
Wireline Competition Bureau